

**United States Court of Appeals
FOR THE EIGHTH CIRCUIT**

No. 99-3192

Charles A. Trobaugh,

Appellant,

v.

Kathleen Hawk, Director, Federal
Bureau of Prisons; M. J. Pischke,
Case Manager; J. Schmidt, Case
Manager; Federal Bureau of Prisons,

Appellees.

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On Appeal from the United States
District Court for the
District of Minnesota.

[Not to be published.]

Submitted: June 15, 2000

Filed: June 26, 2000

Before RICHARD S. ARNOLD, BOWMAN, and BEAM, Circuit Judges.

PER CURIAM.

Charles Trobaugh, a federal inmate, appeals the District Court's¹ denial of his motion for a preliminary injunction in this Bivens v. Six Unknown Named Agents of

¹The Honorable Donovan W. Frank, United States District Judge for the District of Minnesota, adopting the report and recommendations of the Honorable John Milton Mason, United States Magistrate Judge for the District of Minnesota.

the Fed. Bureau of Narcotics, 403 U.S. 388 (1971), action. After review of the record and the parties' briefs, we affirm.

Plaintiff claimed that defendants--for retaliatory motives--destroyed papers entitling him to an early release from prison for successful completion of a drug treatment program, threatened to transfer him to another facility, and placed him in administrative segregation. He filed a motion for a preliminary injunction, seeking to restrain defendants from tampering with his inmate central file, transferring him to another facility, reviewing his eligibility for early release, or retaliating against him for filing the Bivens action. The District Court denied his motion.

We find that the Court did not abuse its discretion in denying the requested injunction, because plaintiff failed to make the required showing that he faced a real and immediate threat of incurring the harm against which he sought protection. See Goff v. Harper, 60 F.3d 518, 520-21 (8th Cir. 1995); ILQ Investments, Inc. v. City of Rochester, 25 F.3d 1413, 1416 (8th Cir.) (standard of review), cert. denied, 513 U.S. 1017 (1994). Accordingly, we affirm.

We also deny plaintiff's pending motions on appeal.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.